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3 **UNITED STATES DISTRICT COURT**
4 **WESTERN DISTRICT OF WASHINGTON**
5 **AT SEATTLE**

6 MANGUNGU,

7 Plaintiff(s),

8 v.

9 CITY OF SEATTLE, et al.,

10 Defendant(s).

11 NO. C03-1053P

12 MINUTE ORDER RE:

- 1 1. MOTION FOR
- 2 RECONSIDERATION/CERTIFICATE
- 3 OF APPEALABILITY
- 4 2. MOTION TO RESCHEDULE
- 5 PRETRIAL CONFERENCE

13 The following minute order is made by the direction of the court, the Honorable Marsha J.

14 Pechman:

15 The Court has reviewed the City's (1) Motion for Reconsideration of Court's Order re:
16 Internal Investigation Files and (2) Alternative Motion Requesting Certificate of Appealability. No
17 certificate of appealability will issue at this time. However, the Court agrees that the Order re:
18 Internal Investigation Files exceeds the scope of Plaintiff's discovery request and orders that Plaintiff
19 respond to the motion for reconsideration, specifically indicating whether he is willing to accept
20 discovery from the City in the form in which it was originally requested (i.e., written answers which
21 identify and describe (i) the nature, substance and description of each complaint alleging excessive use
22 of force in the making of an arrest, false arrest and/or malicious or unlawful prosecution and (ii) the
23 name, address and telephone number of each complainant) and if not, the reasons therefor. Said
24 response will be limited to six pages and must be filed with the Court no later than ten days from the
25

26 MINUTE ORDER

1 || filing of this order.

2 Additionally, the Court has reviewed Plaintiff's Motion to Reschedule Pretrial Conference.
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4 The Court had previously indicated that new discovery cutoff, pretrial and trial dates would issue in
5 this matter and that has not been accomplished. The current trial date is clearly unworkable given the
6 status of the case. The pretrial conference set for July 2, 2004 and the trial date of July 12, 2004 are
7 hereby stricken. The parties will be ordered to submit a supplemental Joint Status Report suggesting
8 new discovery cutoff and trial dates no later than 30 days after the Court issues its ruling on the City's
motion for reconsideration.

Filed this 21st day of June, 2004.

BRUCE RIFKIN, Clerk

By /s Mary Duett
Deputy Clerk

MINUTE ORDER